

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-56 (cancelled).

Claim 57 (currently amended): An isolated DNA sequence encoding a truncated insecticidal Cry2Ae protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 from amino acid position 1 to an amino acid position between amino acid position 625 and amino acid position 632.

Claim 58 (currently amended): An isolated DNA sequence encoding a truncated insecticidal Cry2Ae protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 from an amino acid position between amino acid position 1 and amino acid position 50 to amino acid position 632.

Claim 59 (withdrawn): An isolated DNA sequence encoding the protein of SEQ ID NO: 8.

Claim 60 (withdrawn): A DNA sequence comprising the coding sequence of SEQ ID NO: 7.

Claim 61 (withdrawn): A DNA sequence comprising the coding sequence of SEQ ID NO: 9.

Claim 62 (cancelled).

Claim 63 (previously presented): A chimeric gene comprising the DNA sequence of claim 57, wherein said DNA sequence is under the control of a promoter which can direct expression of the gene in a plant cell.

Claim 64 (previously presented): The chimeric gene of claim 63, further comprising a DNA encoding a targeting or transit peptide for targeting to the vacuole, mitochondrion, chloroplast, plastid, or for secretion.

Claim 65 (previously presented): A plant cell, plant or seed transformed to comprise the chimeric gene of claim 63.

Claim 66 (previously presented): A plant cell, plant or seed transformed to comprise the chimeric gene of claim 64.

Claim 67 (previously presented): The plant cell, plant or seed of claim 65, wherein said cell, plant or seed are of corn, cotton, rice, tobacco, oilseed rape, *Brassica* species, eggplant, soybean, potato, sunflower, tomato, sugarcane, tea, beans, strawberry, clover, cucumber, watermelon, pepper, oat, barley, wheat, dahlia, gladiolus, chrysanthemum, sugarbeet, sorghum, alfalfa, or peanut.

Claim 68 (previously presented): The plant cell, plant or seed of claim 66, wherein said cell, plant or seed are of corn, cotton, rice, tobacco, oilseed rape, *Brassica* species, eggplant, soybean, potato, sunflower, tomato, sugarcane, tea, beans, strawberry, clover, cucumber, watermelon, pepper, oat, barley, wheat, dahlia, gladiolus, chrysanthemum, sugarbeet, sorghum, alfalfa, or peanut.

Claim 69 (currently amended): A process for rendering a plant resistant to *Helicoverpa armigera*, *Anticarsia gemmatilis*, or *Sesamia nonagrioides* an insect, wherein said method comprises ~~comprising~~ transforming plant cells with the chimeric gene of claim 63, ~~or a chimeric gene comprising a DNA encoding the protein of SEQ ID NO: 2 or an insecticidally effective fragment thereof,~~ and regenerating transformed plants from such cells.

Claim 70 (currently amended): The [[A]] process of claim 69, for rendering a plant resistant to wherein said insect is selected from the group consisting of *Chilo suppressalis*, *Chilo partellus*, *Scirpophaga incertulas*, *Sesamia inferens*, *Cnaphalocrocis medinalis*, *Marasmia patnalis*, *Marasmia exigua*, *Marasmia ruralis*, and [[or]] *Scirpophaga innotata*[[,]] ~~comprising transforming plant cells with the chimeric gene of claim 63 or a chimeric gene comprising a DNA sequence encoding the protein of SEQ ID NO: 2 or an insecticidally effective fragment thereof, and regenerating transformed plants from such cells.~~

Claim 71 (previously presented): A chimeric gene comprising:

- (a) a 35S promoter derived from Cauliflower Mosaic Virus or a S7 promoter derived from Subterranean Clover Stunt Virus;
- (b) a leader sequence from the chlorophyll a/b binding protein gene from Petunia; and
- (c) the DNA of claim 57, or a DNA encoding the protein of SEQ ID NO: 2 or an insecticidally-effective fragment thereof.

Claim 72 (previously presented): The chimeric gene of claim 71, wherein said chimeric gene also contains a DNA sequence encoding the TpssuAt transit peptide.

Claim 73 (previously presented): The chimeric gene of claim 71 or 72, wherein said chimeric gene also comprises a 3' transcript termination and polyadenylation region of the 35S gene from Cauliflower Mosaic Virus.

Claim 74 (currently amended): The chimeric gene of claim ~~[[57]]~~ 63, ~~further comprising a DNA sequence encoding the protein of SEQ ID NO: 2 or an insecticidally-effective fragment thereof under the control of a~~ wherein said promoter is a promoter whose expression in plants is inducible by insect feeding.

Claim 75 (previously presented): A cotton plant or seed comprising a first chimeric gene encoding the protein of SEQ ID NO: 2 or an insecticidally-effective fragment thereof, and a second chimeric gene encoding an insecticidal protein selected from: a Cry1F protein, toxic fragments or hybrids derived from a Cry1F protein, a Cry1Ac protein, or a VIP3Aa protein or a toxic fragment thereof.

Claim 76 (previously presented): A process for rendering a plant resistant to an insect, comprising transforming plant cells with the chimeric gene of claim 71, 72, or 74, and regenerating transformed plants from such cells which are resistant to insects.

Claim 77 (currently amended): A method for controlling insects comprising expressing in transformed plant cells an insecticidally-effective amount of a protein encoded by the DNA of any one of claims ~~57 to 64~~ or 58, to control: *Heliothis virescens*, *Helicoverpa zea*, *Helicoverpa armigera*, *Anticarsia gemmatilis* and *Ostrinia nubilalis*, *Chilo suppressalis*, *Chilo partellus*,

*Scirpophaga incertulas*, *Sesamia inferens*, *Cnaphalocrocis medinalis*, *Marasmia patnalis*,  
*Marasmia exigua*, *Marasmia ruralis*, or *Scirpophaga innotata*.

Claim 78 (currently amended): The cotton seed or plant of claim 75, wherein said ~~toxic~~  
~~fragments or hybrids derived from Cry1F protein comprise~~ second chimeric gene encodes a  
Cry1A-Cry1F protein.

Claim 79 (new): An isolated DNA sequence encoding a truncated insecticidal Cry2Ae  
protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 comprising a C-  
terminal deletion up to amino acid position 625.

Claim 80 (new): An isolated DNA sequence encoding a truncated insecticidal Cry2Ae  
protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 comprising a N-  
terminal deletion up to amino acid position 50.

Claim 81 (new): An isolated DNA sequence encoding a truncated insecticidal Cry2Ae  
protein consisting of the amino acid sequence of the protein of SEQ ID NO: 2 comprising an N-  
terminal deletion up to amino acid position 50 and a C-terminal deletion up to amino acid  
position 625.

Claim 82 (new): The process of claim 69, wherein said insect is selected from the group  
consisting of *Helicoverpa armigera*, *Anticarsia gemmatilis*, and *Sesamia nonagrioides*.